

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DARRYL ALEXANDER and EDNA  
ALEXANDER

Case No. 2:09-CV-12303

Plaintiffs,

Hon. Patrick J. Duggan  
Magistrate Judge Paul J. Komives

vs.

DEL MONTE CORPORATION and THE  
KROGER COMPANY,

Defendants.

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DeNARDIS, McCANDLESS & MILLER, PC  
Mark F. Miller (P36404)  
Ronald F. DeNardis (P23268)  
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CLARK HILL PLC  
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**OFFER OF JUDGMENT**

TO: Mark F. Miller (P36404)  
Ronald F. DeNardis (P23268)  
DeNARDIS, McCANDLESS & MILLER, PC  
10 S. Main Street, Suite 307  
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NOTICE IS HEREBY GIVEN that Defendants Del Monte Corporation and The Kroger Company, in accordance with Fed. R. Civ. P. 68, offer to allow Plaintiffs Darryl Alexander and Edna Alexander to take judgment against them in the amount of \$150,000.00. This amount includes all costs and fees accrued through the date of this Offer of Judgment, including, but not limited to, any and all claims to damages, attorney fees, interest, costs and expenses of any kind or nature whatsoever.

This Offer of Judgment is made for the purposes specified in Rule 68, and is not an admission that Defendants are liable in this action, or that Plaintiffs have suffered any damage.

Respectfully submitted,

CLARK HILL PLC

By: /s/ Jack O. Kalmink

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Date: November 16, 2010

**CERTIFICATE OF SERVICE**

I hereby certify that on November 16, 2010, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to all attorneys of record.

CLARK HILL PLC

By: /s/ Jack O. Kalmink

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